

**Listing and Amendments to the Claims**

This listing of claims will replace the claims that were published in the PCT Application and **annexed to the International Preliminary Examination Report:**

1. (Currently amended) An apparatus for reading from and/or writing to an optical recording medium ~~(7)~~ having at least two data layers situated one above another, having a device ~~(4)~~ for correcting an aberration that is experienced in the recording medium ~~(7)~~ by an input beam used for reading from and/or writing to, the input beam and a beam reflected at the recording medium ~~(7)~~ having directions of polarization that are essentially perpendicular to one another during traversal of the device for correcting the aberration, ~~characterized in that the device (4) for correcting the spherical aberration is being set up such that the reflected beam traverses it uninfluenced, and the reflected beam being focused onto at least one detector in that~~ wherein means ~~(12, 16, 19) for correcting the imaging of the reflected beam onto at least one detector unit (13, 15, 17, 18, 20) are provided in the further beam path, compensating for the aberration experienced by the reflected beam are provided in the further beam path.~~

Claim 2-7 are cancelled.

8. (new) The apparatus as claimed in claim 1, wherein the device for correcting the spherical aberration consists of a liquid crystal element that influences the wave front in only one direction of polarization in order to balance the spherical aberration, a quarter-wave plate being arranged downstream of the device in the direction of the input beam.

9. (new) The device as claimed in claim 1, wherein correction means provided in the further beam path are one or more beam splitters that are traversed by the reflected beam and split the latter into two or more partial beams, the individual partial beams being directed onto one detector each which are arranged such that the optical path length from the optical recording medium to a detector is optimized for in each case one of the data layers.

10. (new) The apparatus as claimed in claim 1, wherein the correction means provided in the further beam path is a diffractive lens that is traversed by the reflected beam and splits the latter into two or more partial beams, the individual partial beams being directed onto one detector each which are arranged such that the optical path length from the optical recording medium to a detector is optimized for in each case one of the data layers.

11. (new) The apparatus as claimed in claim 9, wherein the data signal is obtained from the sum of the signals of the detectors, and in that a focus error signal and/or a track error signal are/is obtained from the signals of that detector for which the optical path length from the optical recording medium to the detector is optimized for the respective data layer.

12. (new) The apparatus as claimed in claim 1, wherein the correction means provided in the further beam path is a device for correcting the wave front that balances the aberration.

13. (new) The apparatus as claimed in claim 12, wherein the device for correcting the wave front is a liquid crystal element.